

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

---

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

---

No. 1:14-cv-254-ASH

**ADVISORY REGARDING REDACTED VERSIONS  
OF DEFENDANTS' JULY 31 SUBMISSION**

Pursuant to the Court's Order of August 4, 2016 (Dkt. No. 389), and in accordance with Defendants' Unopposed Motion for Leave to File Under Seal and *In Camera* Their Response to the Court's Order of June 7, 2016 (Dkt. No. 380), Defendants submit herewith redacted versions of (1) Defendants' Response to the Court's Order of June 7, 2016, (2) the Declaration of Benjamin C. Mizer, dated July 29, 2016; (3) the Declaration of Joyce R. Branda dated July 20, 2016, and (4) the Declaration of Joseph H. Hunt, dated July 31, 2016. These redactions were made to protected privileged information, sensitive personal information, and information that could identify the counsel named in the Court's sealed Order of May 19, 2016, *see* Dkt. No. 348.

Redacted versions of the additional declarations filed by Defendants on July 31 in support of their response to the Court's June 7 Order are not included herewith. Consistent with the Court's August 4 Order and Defendants' Motion for Leave to File Under Seal, this is necessary to ensure that the identities of the counsel named in the Court's sealed Order of May 19, 2016 (Dkt. No. 348) are not inadvertently disclosed, either directly or indirectly, and to protect the personal privacy interests of individuals, not named in the sealed Order, who also

have submitted declarations in support of Defendants' response. Given the interconnected and detailed nature of each of the additional declarations, there is no meaningful non-privileged, segregable information that can be disclosed without also placing individual declarants' personal privacy interests at risk.

Dated: August 8, 2016

KENNETH MAGIDSON  
United States Attorney

DANIEL DAVID HU  
Assistant United States Attorney  
Chief, Civil Division

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

JOYCE R. BRANDA  
Deputy Assistant Attorney General

AUGUST E. FLENTJE  
Special Counsel

JENNIFER D. RICKETTS  
Director, Federal Programs Branch  
Attorney-in-Charge (VA Bar No. 29281)

JAMES J. GILLIGAN  
Special Litigation Counsel

/s/ Daniel Schwei  
DANIEL SCHWEI  
Trial Attorney  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
P.O. Box 883  
Washington, D.C. 20044  
Tel.: (202) 305-8693  
Fax: (202) 616-8470  
Daniel.S.Schwei@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Advisory Regarding Redacted Versions of Defendants' July 31 Submission has been delivered electronically on August 8, 2016, to counsel of record via the District's ECF system.

/s/ Daniel Schwei  
Counsel for Defendants